

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

PENSION PLAN FOR PENSION TRUST
FUND FOR OPERATING ENGINEERS, et
al.,

No. C-20-00131-WHA

Plaintiffs,

v.

BRENEMAN, INC., et al.,

Defendants.

**ORDER GRANTING PLAINTIFFS'
MOTION FOR DEFAULT
JUDGMENT**

Defendants Breneman, Inc., Site Worx, Inc., and James Breneman, LLC have all failed to object to plaintiffs' motion for default judgment despite being properly served. The undersigned adopts Magistrate Judge Westmore's findings and her proposed injunctive and monetary relief as follows.

Final judgment will be entered in favor of the plaintiff, and as set out in Magistrate Judge Westmore's report and recommendation, defendants must furnish the information needed to enable the plan sponsor to comply with ERISA.

Further, plaintiffs shall be awarded the following monetary relief:

(1) unpaid withdrawal liability in the amount of \$268,043.00;

(2) liquidated damages in the amount of \$53,068.20;

(3) interest in the amount of \$35,838.72;

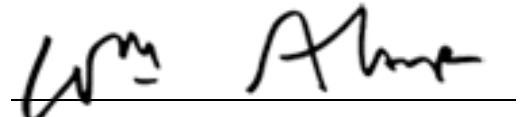
(4) attorney's fees in the amount of \$15,098.50; and

(5) costs in the amount of \$4,247.11.

This order also adopts, in part, the recommendation that interest continue to accrue at the daily rate of \$73.44 per day after September 30, 2020, but cuts off the accrual period at January 4, 2021, the deadline for defendants' objection to the motion for default judgment.

IT IS SO ORDERED.

Dated: February 10, 2021



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE

United States District Court
Northern District of California